

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2334 - SB 3176

March 11, 2012

SUMMARY OF BILL: Specifies that seizures, confiscations and sales, and all fines and forfeitures of appearance bonds received from drug violations that are derived from the activities of a judicial district drug task force (DTF) will be transmitted to the general fund and appropriated to the newly created Drug Enforcement Education Fund. The funds are specifically earmarked for any county or municipal law enforcement agency, applying through the Department of Finance and Administration, Office of Criminal Justice Programs, for drug enforcement and education fund program grants to: enhance law enforcement training; establish or continue drug education programs designed to educate youth; establish or continue drug awareness programs to educate the public; establish, enhance, or continue methamphetamine clean-up programs; and to establish or enhance any other program or purpose legitimately related to drugs, drug education and awareness, or the improvement of law enforcement services in general. Authorizes the Fund to receive any additional grants, gifts, contributions, or other appropriations to supplement the Fund.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – There will be a shift in funds from the Drug Task Force Fund administered by the District Attorneys General to the newly created Drug Enforcement Education Fund administered by the Department of Finance and Administration, Office of Criminal Justice Programs. The amount of funds is unknown and cannot be quantified because it is based on seizures, confiscations, sales, fines, and forfeitures derived from the activities of a judicial district drug task force. Expenditures from the Fund, including current positions with the District Attorneys General Conference and funding to local law enforcement, will remain the same.

Assumptions:

- Currently, seizures, confiscations, and sales derived from the activities of a judicial district drug task force are paid to an expendable trust fund maintained by the county mayor in a county designated by the district attorney general, and must be used exclusively in a drug enforcement or drug education program of the district as directed by the board of directors of the judicial district drug task force.
- The proposed bill changes the method of allocating the proceeds from seizures, forfeitures, and fines but it does not impact the amount of state or local revenue collected.

- Based on the data reported in the Review of Funds Administered by District Attorneys General and Judicial District Drug Task Forces (1st through the 31st Judicial Districts), the balance in the Fund as of June 30, 2010, was \$13,789,549.
- The Department of Finance and Administration, Office of Criminal Justice Programs (OCJP), currently administers the following grant programs: the Byrne Justice Assistance Grant Program, National Criminal History Improvement Program, STOP Violence Against Women Program, Residential Substance Abuse Treatment Program, Victims of Crime Act, Family Violence Shelters; and the Drug Court Treatment Act.
- Any increase in workloads for administering the newly created Fund can be accommodated within existing resources without an increased appropriation or reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', is positioned above the printed name.

Lucian D. Geise, Executive Director

/lsc